



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

file

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MAY 30 2014

Mr. Carmen DeFillippo
Chief of Operations/Laboratory Manager
Sewer and Wastewater Division - Department of Public Works
47 Nashua Road
Pepperell, Massachusetts 01463
Permit # MA0100064

Re: Request for Information Pursuant to Section 308 of the Clean Water Act (33 U.S.C. § 1318)
Docket # 14-308-20

IMMEDIATE ATTENTION REQUIRED

Dear Mr. DeFillippo:

This letter is in follow up to the U.S. Environmental Protection Agency's (EPA's) review of the Town of Pepperell Wastewater Treatment Plant's (the Facility's) 2012 Annual Sludge Report. The regulations at 40 Code of Federal Regulations (C.F.R.) Part 503, promulgated under Sections 405(d) and (e) of the Clean Water Act (the "CWA"), establish the Standards for the Use or Disposal of Sewage Sludge ("Part 503 Biosolids Rule"). These standards, consist of general requirements, pollutant limits, management practices, operational standards for the final use and disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works, pathogen and alternative vector attraction reduction requirements, monitoring, and recordkeeping and reporting. The purpose of this letter is to obtain additional information so the EPA can determine the Facility's compliance with the CWA and the Part 503 Biosolids Rule.

Section 308(a) of the CWA, 33 U.S.C. § 1318(a), authorizes the EPA to require the submission of any information necessary to carry out the objectives of the CWA, 33 U.S.C. § 1251 *et seq.* Under the authority of Section 308 of the CWA, the EPA hereby requires you to provide the information requested in the enclosed INFORMATION REQUEST **within thirty (30) calendar days of receipt of this letter.**

Please read the instructions included in the enclosed INFORMATION REQUEST carefully before preparing your responses.

CWA 308 Request for Information
Town of Pepperell, MA

This Request for Information is being sent on behalf of EPA's Biosolids Center located in EPA's Region 7 Regional office in Lenexa, Kansas. As the enclosed instructions indicate, the response to this Request for Information is to be sent to EPA's Region 7 office. We appreciate your cooperation and prompt attention to this matter. If you have any questions regarding this information request, please contact Tony Petruska in EPA's Biosolids Center at (913) 551-7637.

Sincerely,



James Chow, Manager
Technical Enforcement Office
Office of Environmental Stewardship

Enclosures

INFORMATION REQUEST

cc: Diane Huffman, Region 7, Chief, Water Enforcement Branch
Denny Dart, Region 1, Office of Environmental Stewardship
Tonia Bandrowicz, Region 1, Office of Environmental Stewardship

INFORMATION REQUEST

The following information is requested by the U.S. Environmental Protection Agency (EPA) pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a).

I. Instructions

1. Please provide a separate response to each and every request set forth below. Please label each response in a manner that identifies the number of the question or document request.
2. If any response cannot be provided in full, provide the response to the extent possible along with an explanation of why the response cannot be provided in its entirety.
3. Except for a cover letter or memorandum and the Statement of Certification, only copies, and not original documents, should be submitted pursuant to this request. Documents and data may be submitted on a compact disk in PDF, Word, Excel or other widely available electronic format.
4. In each submission required by this Information Request, identify the person to contact regarding your submission, including title, address and phone number.
5. Your responses to this Information Request are to be provided by a qualified professional. For each response required below, provide the name and credentials of the person(s) providing information in response to this Information Request.
6. Information or documents not known or not available to you as of the date of submission of your response to this request should later become known or available to you, you must supplement your response to the EPA within fourteen (14) calendar days of when the information or documents become known or available. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is inaccurate, false or misrepresents the truth, you must notify the EPA of this fact immediately and provide a corrected response within fourteen (14) calendar days of when you find the information is false or misrepresents the truth.
7. Confidential Business Information. If you believe any of the requested information is confidential, you may assert a business confidentiality claim under the provisions of Section 308(a) of the Clean Water Act ("CWA"), 33 U.S.C. § 1318(a), and 18 U.S.C. § 1905, and the regulations at 40 C.F.R. Part 2, and in the manner described at 40 C.F.R. § 2.203(b). Information requested by this letter, however, must be submitted to the EPA regardless of such a claim of confidentiality. If the EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in Subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, the EPA may make the information available to the public without further notice to you.
8. Accurate and Truthful Information Required. Compliance with this information request is mandatory. Please be advised that the failure to respond accurately, or the submission of false information, may subject you to civil or criminal penalties under Section 309 of the CWA, 33 U.S.C. § 1319, and/or 18 U.S.C. § 1001. Please be aware that the issuance of this letter and your response with

the requested information does not relieve you of any responsibility under the CWA, including but not limited to seeking, maintaining, or complying with an applicable NPDES permit.

9. Submission of Response to Information Request. All responses to this Information Request must be submitted within the timeframes identified in Section III, below. Each response should be submitted in a manner that allows you to track delivery, and must be submitted to:

**Tony Petruska
Environmental Protection Specialist
U.S. Environmental Protection Agency
Water, Wetlands and Pesticides Division
11201 Renner Boulevard
Lenexa, Kansas 66219**

II. Definitions

All terms used in this Information Request that are not defined below shall be defined as they are defined at Section 502 of the CWA, 33 U.S.C. § 1362, and 40 C.F.R. §§ 503.9, 503.11, 503.21, 503.31, 503.41 and 122.2. Unless otherwise indicated, the following definitions shall apply strictly for the purposes of this Information Request:

1. "Record" is defined as any recording of information in tangible form. It includes, but is not limited to, in print or electronic form, documents, memoranda, reports, letters, maps, graphs, charts, log books, notes, computer print outs and computer data bases.
2. "Document" is defined as any writings, drawings, graphs, charts, photographs, phone records, electronic mail, facsimile, and other data compilations from which information can be obtained, translated if necessary, through detection devices into reasonably usable form. Documents should be produced as they are kept in the usual course of business.
3. "Biosolids" is defined as sewage sludge generated during the treatment of domestic sewage in a treatment works.
4. "Facility" is defined as the Town of Pepperell, Massachusetts Wastewater Treatment Plant (NPDES Permit number MA0100064) and associated equipment and land used for the treatment, processing, or disposal of biosolids.

III. Requested Information

Within thirty (30) days of receipt of this information request, provide the following information:

1. General Facility information: Design flow, actual flow, population served, design sludge production, latitude/longitude.

2. Describe the Facility's method for windrow composting including a description of the Facility's process controls to eliminate cross contamination between windrows.
3. For all biosolids produced or processed at the Facility in calendar years 2012 and 2013, provide all records pertaining to the Facility's determinations whether or not the Facility's biosolids meet the Class A or Class B classification. The records should include copies of the following:
 - a. All laboratory results used to determine the classification such as pathogen testing, vector attraction reduction, and metals;
 - b. Specific records identifying how the pathogen requirements were met in accordance with 40 C.F.R. § 503.32(a);
 - c. Specific records identifying how the vector attraction reduction requirements were met in accordance with 40 C.F.R. § 503.33(b)(1) through (b)(8);
 - d. Specific records for concentrations of pollutants listed in Table 3 of 40 C.F.R. § 503.13;
 - e. Copies of all temperature logs used to track compliance if used for pathogen or vector attraction reduction certification; this includes temperature logs for digester and/or compost windrows.
4. A description of the procedures that are followed in instances when biosolids do not meet Class A or Class B classification, such as when pathogen, pH or temperatures initially fail to meet the pathogen or vector attraction reduction limits;
5. Records on crops, agronomic rates and loading rates for each field where biosolids are distributed in bulk to agricultural fields.
6. A description of the final disposition of compost which does not meet all of the standards.
7. A description of how the vector attraction reduction requirements are met for biosolids that are given away.

